

Customer No. 24498  
Attorney Docket No. PU020417  
Final Office Action Date: 10/26/2009

### REMARKS

This application has been reviewed in light of the Office Action dated October 26, 2009. Claims 1-17 are pending in the application. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

By the Office Action, claims 1-12 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 6,678,248 to Haddock et al. (hereinafter 'Haddock') in view of U.S. Patent Publication No. 2002/0031142 (hereinafter 'Metin') and U.S. Patent No. 6,563,793 to Golden et al. (hereinafter 'Golden'). Further, claims 13-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Metin in view of Golden. Applicants submit that for at least the reasons discussed below the pending claims are patentably distinguishable over the cited combination of references.

Claim 1 of the present application recites, inter alia:

wherein the switch comprises a plurality of output queues associated with egress ports of the switch that correspond to different priorities associated with received priority packets, wherein the plurality of output queues comprise a plurality of additional output queues for reserved connections, wherein each additional output queue is established and associated only with reserved connection data packets for one reserved connection path at a given time.

As discussed in previous office action responses, Haddock and Metin do not disclose or render obvious output queues of a switch that are each associated only with reserved connection data packets for one reserved connection path at a given time. To cure the deficiencies of Haddock and Metin, the Office Action cites Golden, asserting that Golden discloses this feature of claim 1.

Customer No. 24498  
Attorney Docket No. PU020417  
Final Office Action Date: 10/26/2009

Prior to discussing Golden in detail, it should be emphasized that claim 1 recites the use of an output queue that is established and associated only with reserved connection data packets for one reserved connection path. Thus, the output queues at issue here in claim 1 are essentially dedicated exclusively to reserved connection data packets for one reserved connection path. While Golden discloses routing incoming, reserved connection packets to their appropriate ports (see, e.g., Golden, column 11, lines 9-39), it is respectfully submitted that Golden does not disclose or render obvious the use of output queues that are established and associated only with reserved connection data packets. For example, where Golden does discuss the management of output queues, Golden states that reserved connection packets are sent to high priority queues while other packets are dropped or forwarded to lower priority queues:

As an alternative, if the switch 56 maintains separate port queues for priority traffic, enhanced switch engine 70 can forward reserved connection packets to high priority queues, while dropping or forwarding to lower priority queues those packets which contend for access to ports involved in reserved connections.

(Golden, column 11, lines 57-62). Golden nowhere states that the high priority queues are never used for non-reserved connection packets. Rather, Golden maintains that non-reserved connection packets which contend for access to ports involved in reserved connections are dropped or forwarded to lower priority cues. Thus, Golden teaches that non-reserved packets are dropped or forwarded to lower priority packets when they contend with reserved connection packets; Golden does not disclose or render obvious the feature that high priority queues are associated only with reserved connection data packets.

Furthermore, it is important to address the Office Action's reliance on the assumption that Golden discloses a "reserved port" that "necessarily has a reserved queue." (see, e.g., Office Action, p. 4, para. 2). Golden discloses that its switch engine examines packets and routes

Customer No. 24498  
Attorney Docket No. PU020417  
Final Office Action Date: 10/26/2009

reserved connection packets to ports involved with reserved connections (see, e.g., Golden column 11, lines 30-39). Golden does not disclose that the port is **reserved exclusively** for reserved connections. Rather, Golden merely states that a certain portion of available bandwidth of a port is reserved for a reserved connection (see, e.g., Golden column 9, line 56 to column 10, line 9). Reserving a portion of available bandwidth does not exclude the use of the port's remaining bandwidth by packets that are not part of a reserved connection. It is respectfully submitted that Golden nowhere teaches or renders obvious "reserved ports" which are used exclusively for reserved connection packets. Similarly, Golden does not disclose or render obvious "reserved queues" that are dedicated exclusively to reserved connection packets.

In contrast, as noted above, claim 1 of the present application is directed to an output queue that is established and associated only with reserved connection data packets for one reserved connection path. Thus, because the cited references fail to disclose or render obvious at least this feature, claim 1 is believed to be patentable over the cited references. Similarly, claims 9 and 13 are believed to be patentable over the cited references, as claims 9 and 13 include similar, relevant features discussed above with regard to claim 1. In addition, claims 2-8, 10-12 and 14-17 are believed to be patentable over the cited references due at least to their dependencies on claims 1, 9 and 13. As such, withdrawal of the rejection is respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that all claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Customer No. 24498  
Attorney Docket No. PU020417  
Final Office Action Date: 10/26/2009

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account #07-0832.

Respectfully submitted,

Dated: 12/7/09

By 

Paul P. Kiel  
Reg. No. 40,677

THOMSON LICENSING LLC  
Patent Operations  
P.O. Box 5312  
2 Independence Way  
Princeton, NJ 08543-5312